REMARKS

Claims 1-30 are pending the Application and stand rejected.

Claim Objections

The Examiner objected to claims 13 and 14 for an informality.

Applicant submits the present amendment to claim 13 obviates this objection.

Claim Rejections - 35 U.S.C. § 102(b)

The Examiner rejected claims 1, 2, 4-10, 12-18, 20-22, 24-26, 28 and 29 as being

anticipated by Moonen et al. (WO 02/09350). Applicant traverses this rejection as follows.

Independent claim 1

Applicant respectfully submits Moonen fails to disclose "an application server

performing the installation and management of applications for the plurality of controlled

devices by using a framework capable of providing integrated support to a variety of home

network middleware, wherein the applications control the plurality of controlled devices," as

recited in amended claim 1.

The Examiner alleges that this feature is disclosed by Figure 1, element 118 and on page

5, lines 26-28. However, in contrast to the Examiner's assertion, Applicant submits that neither

the portion cited by the Examiner nor any other portion of Moonen disclose an application server

performing the installation and management of applications for the plurality of controlled

devices, wherein the applications control the plurality of controlled devices.

In particular, the portion cited by the Examiner discloses a bridge 118, which contains

software components 120 including translation modules that permit the interaction between

devices that comply with a first software architecture and devices that comply with a second

software architecture. (p. 5, lines 8-16). The bridge 118 also includes a software component 122

that handles the installation of software components needed to integrate devices into the system.

However, neither the software components 120 and 122, which comprise translation

modules and installation modules, constitute <u>applications</u> that control the plurality of controlled

devices. To the contrary, these software components are merely system components that permit

linking between disparate applications. No portion of Moonen discloses that these software

components 120 and 122 control the plurality of controlled devices.

Thus, Applicant submits claim 1 is allowable for at least this reason. Additionally,

Applicant submits that claims 2-8 are allowable, at least because of their dependency.

Independent claim 9

Claim 9 recites, *inter alia*, one of the plurality of controlled devices controls the

application server and performs installation and management of applications for the plurality of

controlled devices.

As discussed above with regard to claim 1, Moonen fails to disclose any software

components that are applications for the plurality of controlled devices. Specifically, Moonen

merely discloses software components 120 and 122, which are not applications, but instead,

system software components.

The Examiner also cites page 8, lines 16-22 to support this rejection. However, this

portion of Moonen discusses a CP (control point), which after detecting a service it wishes to

use, controls the service by sending SCP actions to the control server URL. Despite the

Examiner's contention, this portion of Mooned fails to disclose where a controlled device

controls an application server and performs installation and management of applications. In fact,

Moonen expressly distinguishes the control point from the controlled devices. (p. 7, lines 20-27).

Thus, Moonen contradicts the Examiner's contention by disclosing that the controlled devices

are not controlled by other controlled device. Rather, Moonen discloses that they are controlled

by a control point. Moreover, these portions are discussed in the context of the UPnP open

network architecture, which distinguishes between control points and controlled devices. (p. 7,

lines 24-25).

Thus, Applicant submits claim 9 is allowable for at least this reason. Additionally,

Applicant submits that claims 10-16 are allowable, at least because of their dependency.

Independent claim 17

Claim 17 currently recites, *inter alia*, installing the applications necessary for controlling

the an application server performing the installation and management of applications for the

plurality of controlled devices by using a framework capable of providing integrated support to a

variety of home network middleware, Consequently, Applicant submits claim 17 is allowable

for at least the same reasons set forth above with regard to claim 1.

Additionally, Applicant submits claims 18-23 are allowable, at least because of their

dependency from claim 17.

Independent claim 24

Claim 24 recites, *inter alia*, controlling the application server to install the application for

the plurality of controlled devices, by the one of the plurality of controlled devices. Because

claim 24 recites features similar to those discussed above with regard to claim 9, Applicant

submits that claim 24 is allowable, at least for the reasons set forth above with regard to claim 9.

Additionally, Applicant submits that claims 25-30 are allowable, at least because of their

dependency from claim 24.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejected claims 3, 11, 19 and 27 as being unpatentable over Moonen in

view of Elson et al. (US 2003/0014521). Applicant traverses this rejection as follows.

Applicant submits that because Elson, taken either alone or in combination with Moonen,

fails to compensate for the above noted deficiencies of Moonen as applied to claims 1, 9, 17 and

24, that claims 3, 11 19 and 27 are allowable, at least because of their dependency.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejected claims 23 and 30 as unpatentable over Moonen in view of the

Examiner's proffered obvious design modification.

Regarding claims 23 and 30, the Examiner concedes that Moonen fails to disclose the

method comprising an application management step of stopping and deleting the application

installed in the application server. (Office Action, p. 20 and 21) In order to compensate for this

deficiency, the Examiner alleges that it would have been obvious to one of ordinary skill in the

art to incorporate a step of stopping and deleting the application installed in the application

server since Moonen already incorporates the step of executing and updating the application

installed in the application server. As a reason to modify, the Examiner alleges that one of skill

would be motivated to incorporate a step of stopping and deleting the application installed in the

application server in order to provide full application support for proper maintenance and

maximum extensibility.

Further, the Examiner takes Official Notice that it is well-known in the art to stop and

delete an application. However, this attempt at Official Notice is overly broad. For example, it

fails to support whether it is an operating system in the device or any other particular component

that performs this stopping and deleting. Further, it is not common for one application to be

granted control to stop and delete another application running under the same operating system.

Thus, Applicant submits this alleged Official Notice is improper and unsupportable.

Second, even if modified as alleged by the Examiner, Moonen so modified fails to

compensate for the above noted deficiencies of Moonen as applied to claims 17 and 24 above.
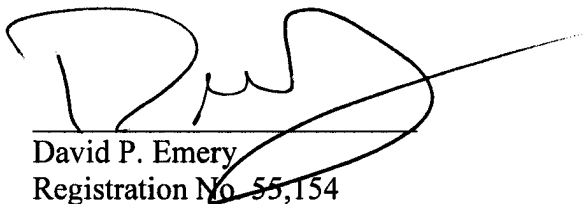
Thus, Applicant submits submit that claims 23 and 30 are allowable, at least because of

their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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